

In these circumstances, the terms of 1981 agreement were "onerous, unfair, un-reasonable and contrary to the interests of the inhabitants of the Ravi-Beas basin, who have law-full rights to utilise water of these rivers". Is the Bill justified? Will it tantamount to contempt of the court? In his well prepared speech, Capt. Amarinder Singh has addressed such questions, as well.

Armed with the House resolution of June 15 that aims to protect the rights of Punjab, legal opinions and all-party resolution of June 12, the Chief Minister said.

"This mandate enables the government to find ways and means to protect the people from adverse consequences of the Supreme Court judgment of June 4. The state had been advised that the obligations arising from an agreement or the contract did not fetter the powers of the legislature to enact a law in public interest.

"We have been further advised that it is a well settled law that the legislature is competent remove or take away the basis of judgment by law and thereby it does not encroach upon the exercise of the judicial power of the judiciary and the legislative action within its competence, do not commit a contempt of court. However, final decision in all these matters lies in the court, as any law enacted by this august House is subject to a judicial review".

When the Bill had been introduced, Mr Parkash Singh Badal stood up to express the collective anguish of the opposition that on such an important item, involving the question of "life and death" had been treated lightly by the government and till noon today "we had no idea of what the agenda was all about nor we had received copy of the Bill or what it was all about".

Mr Badal said the traditions and conventions of the House were being eroded, day-by-day. "It was also a disgrace that even the information inviting us to meet the Governor after the House had passed the resolution was sent by the Congress president, Mr H S Hanspal, who was not involved in this in any which way. How can we discuss anything at such a short notice? We are against political confrontation and are available 24-hours for any thing related to the interests of the state and are willing to support the government".

Thereafter, the Speaker, Dr Kewal Krishan said he had received a resolution sent by four Akali MLAs, Mr Parkash Singh Badal, Capt. Kanwaljit Singh, Mr Gurdev Singh Badal and Mr Manpreet Singh Badal, for the consideration of the House.

Then, he ruled that since a comprehensive Bill was being presented, they could express their views while speaking on that. Mr Manpreet Singh Badal and Capt Kanwaljit Singh suggested that certain provisions, including Clause 78, in the Punjab Reorganisation Act, 1966, be also annulled. BJP's Tikshan Sud, said though a "belated step", the Bill was a welcome and offered full co-operation but rued that the Opposition be given due place and respect.

On this the Captain had stated in his reply that whatever steps were required to be taken to protect Punjab's interests would be taken in consultation with the legal experts.

The speakers, including Mr Bir Devinder Singh and Mr Jeet Mohinder Singh spoke in the context of historical background, stressing time and again on the riparian principles. Mr Bir Devinder Singh recalled how even the British Government had sought a certificate from Punjab that it will protect its own interests under the riparian rights while selling water to Rajasthan.

Mr Bir Devinder Singh even cautioned to be prepared following the enactment of the Act, terminating 1981 and other agreements since new situation would develop. Mr Jeet

Mohinder Singh wondered if the Bill would stop the construction of SYL. He was for adding a new amendment in the form of a clause in the Eastern Punjab Canal and Drains Act, 1873 that permission of the state Assembly should be mandatory to dig or construct any canal that carries water beyond the boundaries of the state.

#### RARE BONHOMIE IN HOUSE

The discussion on the Bill was, however, not without the usual political punches and colour. There were moments when some ministers and opposition members took pot shots blaming either side for having failed Punjab and messed up the water issue.

Some Opposition members said had such a Bill been brought forward 23 years ago, Punjab would have been spared the agony. Even the Bill says that in the wake of large-scale militancy, the Punjab settlement was reached, which however, had remained unimplemented in letter and spirit.

For once, the House was in a serious mood. There were no political skirmishes, though usual jibes were heard. The Governor's and Speaker's galleries were packed.

But it was the Captain's day all the way. Having worked overtime to get this Bill prepared, presented and passed by the House, he responded to the collective anguish of the opposition, expressed by Mr Badal, with utmost humility and courtesy, acknowledging all what Mr Badal had said. But then he point by point not only explained the unusual circumstances, including race against time, under which the Bill in as prepared and thus could not be circulated earlier, giving the members a chance to prepare themselves.

Capt. Amarinder Singh was apologetic and said so repeatedly taking the wind out of the sails of the Akalis. He showed faint starchiness in his voice, when he responded to some of the observations of Capt. Kanwaljit Singh, saying, "We are together here for an important task, not for rhetoric and emotive outbursts. We cannot allow Punjab to go back into the grip of violence".

Warming up, he concluded, "We will resort to all legal and constitutional means to seek justice. Already enough bloodshed has taken place. Even all the bodies have not been counted, so far. We shall fight to the end but within the parameters of laws, rules and the constitution. I will be willing to resign, if need be, for the sake of Punjab. The time is not for blame game. We have all made mistakes in the past. We are rectifying the same after 23 years. Come, lets join hands, close ranks. I appreciate the Opposition's co-operation".

#### PAYING TRIBUTE TO CONNIE FLUKEY

#### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 13, 2004*

Mr. McINNIS. Mr. Speaker, I rise today to pay tribute to Connie Flukey, of Grand Junction, Colorado, who has committed herself to a lifetime of volunteer service. Connie is a caring individual who inspires citizens to follow in her benevolent steps. She is a valuable member of her community and it is an honor to recognize her service before this body of Congress and this nation.

In recognition of her service, Connie was recently honored by the White House with the President's Call to Service Award for more than four thousand hours of volunteer service

and also by the Points of Light Foundation for serving more than five hundred hours in one year. Only one thousand people in the entire country are expected to receive such a prestigious award this year. The President's Council on Service and Civic Participation created the award program to recognize Americans whose example of dedication inspires others to volunteer. Connie definitely fits the mold as she was instrumental in the founding of an organization that helps to coordinate searches for missing children across the country including involvement in the high profile Elizabeth Smart case.

Mr. Speaker Connie Flukey is a dedicated public servant that goes above and beyond the call of duty to serve her community and her nation. I am proud to acknowledge the achievements of a person who encourages her fellow Americans to volunteer and help out in their towns and cities. It is the efforts of people like Connie that help build strong and caring communities. Thank you for your service Connie and I wish you all the best in your future endeavors.

#### THE INTRODUCTION OF THE "CONTINUITY OF OPERATIONS DEMONSTRATION PROJECT ACT"

#### HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 13, 2004*

Mr. DAVIS of Illinois. Mr. Speaker, in the late 1990s, the Government Reform and Education and Workforce Committees, held oversight hearings to examine the barriers to telecommuting and federal agencies' development and promotion of telework programs. It was then thought that the primary benefits of telecommuting were reducing traffic congestion and pollution, improving recruitment and retention of employees, reducing the need for office space, increasing productivity, and improving the quality-of-life and morale of federal employees.

These continue to be compelling and valid reasons for implementing agencywide telework programs. Representative FRANK WOLF is to be commended for moving legislation that pushes agencies to increase the number of federal employees who telecommute.

Today, post 9-11, we are again holding hearings on telecommuting. We have another, very compelling reason to push federal agencies, and ourselves, to develop and implement the infrastructure and work processes necessary to support telecommuting. They are emergency preparedness and the continued threat of terrorism.

The question we must ask ourselves is this: In the event of an emergency, are we—this Committee, our staffs, and federal agencies—prepared to serve the American people, if in an emergency situation, our primary places of work are no longer available to us?

You only have to read the General Accounting Office's (GAO) April 2004 report entitled, "Human Capital: Opportunities to Improve Federal Continuity Planning Guidance," to know that the answer is no.

The GAO report notes that the government is better prepared to handle an emergency than it was before 9-11, but there is room for improvement. Federal agencies' continuity of

operations plans (COOP) address securing the safety of all employees and responding to the needs of personnel performing essential operations, but essential personnel make up only a small portion of the total federal workforce.

Neither the Office of Personnel Management (OPM) nor the Federal Emergency Management Agency (FEMA), the agencies responsible for providing emergency preparedness guidance in COOP, have addressed workforce considerations related to the resumption of broader agency operations. While COOP efforts should give priority to the safety of all employees and address the needs of those who directly support essential operations, the resumption of all other operations is crucial to achieving mission results and serving the American people.

The GAO report states that, "Given that the majority of employees would be associated with resumption efforts rather than essential operations, considering this segment of the organization is an important part of continuity planning." According to GAO, continuity efforts should be guided by two key workforce principles: the demonstration of sensitivity to individual employee needs and the maximization of all employees' contributions to mission results.

I introduced H.R. 4797 to push agencies to do just that. The legislation would require the Chief Human Capital Officer Council to conduct and evaluate a 30-day demonstration project that broadly uses employees' contributions to an agency's operations from alternate work locations, including home. The outcome of the demonstration project would provide agencies and Congress with approaches to gaining flexibility and identifying work processes that should be addressed during an extended emergency situation.

This Congress experienced a prolonged emergency situation when, in 2001, congressional office buildings were closed from 2 weeks to 3 months due to the threat of anthrax contamination. Congressional staff stayed home, or they were hastily relocated to nearby federal office buildings. A Congressional Research Report on congressional continuity of operations stated that although alternate office accommodations were in place, office computer and hard copy files in the closed offices, in many cases, were inaccessible.

The number and types of potential emergency interruptions are unknown and we must be prepared, in advance of an incident, with the work processes and infrastructure needed to reestablish agency operations.

In a world where anything is possible, we must be prepared for all the possibilities.

#### ACT APPLAUDS EFFORTS TO ENSURE CONTINUITY OF FEDERAL OPERATIONS THROUGH TELEWORKING

The Association for Commuter Transportation applauds Congressman Danny Davis (D-IL) in his effort to ensure continuity of Federal operations in the event of an emergency, natural or manmade, by making effective use of telecommuting. The legislation introduced today by Congressman Davis will show that establishing effective telework programs for the Federal Workforce will allow for continuity of federal operations in the event of an emergency.

The events of September 11th showed us that the Federal government needs to be better prepared to operate in the event of an emergency. However, an act of terror is not the only event that prevents the federal gov-

ernment from operating effectively. Recent events such as the anthrax incident, the tractor incident, numerous weather related events, and the events surrounding the passing of former President Reagan have all but shut down the National Capital Region. Despite this fact, the government has a need to function day to day processes even in the event of an emergency.

ACT feels that the legislation introduced today will serve as a test bed on how to operate in the event of such emergencies and provide a pilot for emergency preparedness in the context of natural disasters in other regions as well. The legislation will leave us better prepared to face the next event, and will also highlight the many benefits of telecommuting and will teach us what we need to do better.

ACT urges the Government Reform Committee and the full Congress to pass this legislation into law. We believe that the Chairman of the Government Reform Committee, Tom Davis (R-VA) is true champion of teleworking and we hope that he will align himself with this legislation.

ACT looks forward to working with Congress and with Congressmen Danny Davis (D-IL) and Tom Davis (R-VA) to see passage of this important bill.

The members of ACT represent a broad coalition of organizations—from major private-sector businesses and institutions to transportation agencies—but we all have one thing in common . . . We are all working cooperatively to make transportation work better by making it more efficient and less costly. ACT members understand that addressing the nation's transportation challenges requires investment in a comprehensive multi-faceted approach—not just the way we build our transportation systems, but the way we use our transportation system. Through programs and services that enhance and promote real transportation choices, ACT members and their partners are developing innovative solutions designed to ensure personal mobility, maximize the performance, security and safety of transportation facilities.

#### PAYING TRIBUTE TO DR. PAUL SMITH

#### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 13, 2004

Mr. McINNIS. Mr. Speaker, it is my privilege to pay tribute to Dr. Paul Smith and thank him for his work as Associate Chief of Staff for Community-Based Care. His years of commitment and dedication as a public servant are certainly commendable and worthy of recognition before this body of Congress and this nation today. As Paul celebrates his retirement, let it be known that I, along with my fellow Coloradans are grateful for all that he has accomplished during his years of service.

Paul received his degrees from the University of Southern Colorado in Pueblo, Colorado Northwestern University Medical School before going on to join the U.S. Army as a physician in 1991 and completed his Family Practice residency at Womack Army Medical Center, Fort Bragg, North Carolina. Paul became Board Certified in Family Practice and then served for four more years as an active duty Family Physician at Evans Army Community Hospital, Fort Carson, Colorado.

Paul entered private practice in Pueblo, Colorado in 1998 and enjoyed a busy practice

until 2000 when he joined the Veterans Affairs Department as a staff physician at the Pueblo VA Community Based Outpatient Clinic in August. He is a member of the National Academy of Family Physicians and a 2001 graduate of the VA's Health Care Leadership Institute course.

In addition to his strength as a doctor Paul also excels in administration, as he was appointed Acting Chief of Staff of the Southern Colorado Health Care System (SCHCS) in 2000 and became Acting Director in 2002. Through his guidance and coordination of the integration of the SCHCS with the Denver VA Medical Center it has become a stalwart model of exemplary healthcare. This experience led to his current position as Associate Chief of Staff for Community-Based Care, overseeing seven Community Based Outpatient Clinics throughout the Eastern Colorado Health Care System.

Mr. Speaker, it is clear that Dr. Paul Smith has been an invaluable resource to the Colorado Health care. It is my honor to recognize his service and dedication before this body of Congress and this nation. I am grateful for the opportunity to work with dedicated public servants like Paul. On behalf of the citizens that have benefited from the hard work and commitment he has given to the Community-Based Care Program and the constituents it serves, I extend my appreciation for his years of dedicated service.

#### ROCK ISLAND ARSENAL

#### HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 13, 2004

Mr. REYES. Mr. Speaker, two weeks ago, I returned from my fifth trip to Iraq since the President declared an end to major combat operations last May. I was able to visit with our brave men and women in uniform, many of whom still endure daily rocket strikes. Their resolve and ability to maintain good spirits in the harshest of environments is a testament to the caliber of our armed forces and their dedication to their jobs.

Last week I learned of the death Lance Corporal Michael Torres, a young man from my district who was killed by enemy fire in Fallujah. A high school scholar, athlete, and young Texas State Guardsman, Lance Corporal Torres joined the Marine Corps to serve his country and his fellow Americans. His pride for our Nation and his willingness to serve is an inspiration for El Paso and our country.

Yesterday, along with my colleagues SOLOMON ORTIZ and GRACE NAPOLITANO, I joined Congressman LANE EVANS in touring the Rock Island Arsenal, located in his district. Congressman EVANS invited us to visit this premier facility of which he is so proud and to which he offers much support. At Rock Island, we were able to see armor kits being made for Humvees, and talk with the employees who have been tirelessly working 24 hours a day, 7 days a week, to produce armor kits for our Humvees that are in theater in Iraq. Having seen some of these armor kits being installed in Kuwait, and having talked to soldiers both installing the kits and receiving armored vehicles, I wanted to pass on their gratitude to the workers.